



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***MARCH 19, 2001
12:15 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

- 1. Call to Order--Roll Call. (Council Member White was absent.)**

At 12:16 p.m., the meeting was declared in recess to be reconvened at 2:00 p.m., in the City Council Chamber.



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***MARCH 19, 2001
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

- 1. Call to Order--Roll Call. (Council Member White was absent.)**

The Invocation was delivered by The Reverend E. T. Burton, Pastor, Sweet Union Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, March 22, 2001, at 7:00 p.m., and Saturday, March 24, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS THE AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT www.roanokegov.com, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

PRESENTATIONS:

A RESOLUTION paying tribute to James D. Ritchie, Deputy City Manager, for the City of Roanoke, and expressing to him the appreciation of this City and its people for his exemplary public service.

**Adopted Resolution No. 35230-031901. (6-0)
File #80-184**

A RESOLUTION memorializing the late G. Frank Clement, a longtime resident of Roanoke and retired President and Chairman of the Board of Shenandoah Life Insurance Company.

Adopted Resolution No. 35231-031901. (6-0)
File #80-132-367

A RESOLUTION memorializing the late Jimmie Layman, former Manager of the Roanoke Parks and Recreation Department and a Clerk for the Roanoke City Market.

Adopted Resolution No. 35232-031901. (6-0)
File #42-67-80-184-367

2. CONSENT AGENDA

(Approved 6-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

C-1 Minutes of the regular meeting of Roanoke City Council held on Monday, March 5, 2001.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

C-2 A communication from the Honorable Ralph K. Smith, Mayor, requesting a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in request to convene in Closed Meeting.

File #132

C-3 Minutes of the Audit Committee held on Monday, March 5, 2001.

RECOMMENDED ACTION: Receive and file.

File #300

C-4 Qualification of the following persons:

William E. Skeen and Lular R. Lucky as members of the Roanoke Neighborhood Partnership Steering Committee for terms ending November 30, 2003;

File #15-110-488

Sheri Bernath as a member of the Blue Ridge Behavioral Healthcare Board to fill a vacancy created by the resignation of Ann Janney-Schultz for a term ending December 31, 2003;

File #15-110-335

Robert K. Bengtson as a City representative to the Roanoke Valley Resource Authority for a term ending December 31, 2004;

File #15-110-253

J. Granger Macfarlane as a member of the Roanoke Regional Airport Commission for a term ending March 9, 2005; and

File #9-15-110

William H. Cleaveland as the City's representative to the Court Community Corrections Program Policy Board for a term ending December 31, 2003.

File #15-110-242

RECOMMENDED ACTION: Receive and file.

REGULAR AGENDA

3. HEARING OF CITIZENS UPON PUBLIC MATTERS: NONE.

4. PETITIONS AND COMMUNICATIONS:

- a. A communication from Vice-Mayor William H. Carder recommending that the matter of increasing the cigarette tax by ten cents be referred to fiscal year 2001-02 budget study.

**Referred to fiscal year 2001-02 budget study.
File #60-79-132**

- b. A communication from the Honorable Donald S. Caldwell, Roanoke City Commonwealth Attorney, requesting acceptance of the Virginia Exile Grant by the Department of Criminal Justice Services, in the amount of \$72,191.00 and a local match of \$8,021.00; and a communication from the City Manager concurring in the request.

**Adopted Budget Ordinance No. 35233-031901 and Resolution No. 35234-031901. (6-0)
File #60-133-236**

- c. A communication from the Roanoke City School Board requesting appropriation of funds to various school accounts; and a report of the Director of Finance recommending that Council concur in the request.

**Adopted Budget Ordinance No. 35235-031901. (6-0)
File #60-467**

5. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS: None.

ITEMS RECOMMENDED FOR ACTION:

1. A communication recommending execution of Amendment 1-A to the City's contract with Hayes, Seay, Mattern and Mattern, Inc., for Phase II - design and Phase III - construction administration for the Roanoke River Flood Reduction Project - Utility Relocation Design, in the amount of \$227,353.00; and transfer of funds in connection therewith.

Adopted Budget Ordinance No. 35236-031901 and Resolution No. 35237-031901. (6-0)
File #60-237-330

2. A communication concurring in a bid committee recommendation that the bid submitted by Verizon Virginia to provide local telephone service, at a cost of \$55,395.66 per month, for a period of one year with the option to renew for an additional one year period, be accepted.

Adopted Resolution No. 35238-031901. (6-0)
File #386

3. A communication recommending issuance of Change Order No. 9 to the City's contract with Thor, Inc., for removal of streetscapes for the new Police Building Project, in the amount of \$30,300.00; and transfer of funds in connection therewith.

Adopted Budget Ordinance No. 35239-031901 and Ordinance No. 35240-031901. (6-0)
File #5-60

4. A communication recommending an amendment to Ordinance No. 35208-020501 setting forth the correct name of the entity being awarded the bid for remodeling seven City park shelters (Thrasher, Golden, Fallon, Wasena, Strauss, Smith and Crystal Springs) to be in compliance with requirements of the Americans with Disabilities Act.

Adopted Ordinance No. 35241-031901. (6-0)
File #67-367

5. A communication recommending appropriation of \$177,111.00 from the Capital Maintenance and Equipment Replacement Program to fund equipment purchases, maintenance and other one-time priority purchases.

**Adopted Budget Ordinance No. 35242 on first reading. (4-2, Council Members Hudson and Wyatt voted no.)
File #60-270-472**

6. A communication in connection with boundary line adjustment for Gates Lane, N.E.

**Concurred in the recommendation.
File #91-514**

7. A communication recommending authorization to submit a street inventory for State maintenance payment eligibility to the Virginia Department of Transportation for approval by the Commonwealth Transportation Board, to insure the City's eligibility for State maintenance funds.

**Adopted Resolution No. 35243-031901. (6-0)
File #20-514**

8. A communication recommending appropriation of \$22,000.00 in connection with funding for the Fifth District Employment and Training Consortium.

**Adopted Budget Ordinance No. 35244-031901. (6-0)
File #60-246**

b. DIRECTOR OF FINANCE:

1. A report recommending appropriation of funds for the operating budget of the Roanoke Valley Detention Commission for fiscal year 2002.

**Adopted Budget Ordinance No. 35245-031901. (6-0)
File #60-305**

6. REPORTS OF COMMITTEES:

- a. A report of the Audit Committee recommending that the City Manager be authorized to enter into an agreement with KPMG LLP for the performance of annual audits of the City's finances for the fiscal years ending June 30, 2001, 2002, 2003, and 2004. William White, Sr., Chair.

Adopted Ordinance No. 35246-031901. (6-0)

File #60-10-300

- b. A report of the Bid Committee recommending acceptance of the bid submitted by Carter's Cabinet Shop of Roanoke, Inc., to fabricate and install lockers in the new Police Building, located at 348 Campbell Avenue, S. W., in the amount of \$169,281.00, with a project contingency of \$10,719.00; and a communication from the City Manager concurring in the recommendation. W. Alvin Hudson, Jr., Chair.

Adopted Ordinance No. 35247-031901. (6-0)

File #5-472

- c. (1) A report of the City Planning Commission with regard to the South Jefferson Redevelopment Plan. D. Kent Chrisman, Chair.

Adopted Resolution No. 35248-031901. (6-0)

File #178-200-544

- (2) A communication from the City Manager recommending execution of the South Jefferson Cooperation Agreement No. 2 to provide funds for the Roanoke Redevelopment and Housing Authority to carry out its work, in the amount of \$1,000,000.00; and appropriation of funds in connection therewith.

Adopted Budget Ordinance No. 35249-031901, Ordinance No. 35250-031901 and Resolution No. 35251-031901. (6-0)
File #60-178-200-544

- (3) A communication from the City Manager recommending execution of a Performance Agreement with Carilion Health System and Carilion Biomedical Institute in connection with the proposed South Jefferson Redevelopment Plan.

Adopted Ordinance No. 35252-031901. (6-0)
File #178-200-221-544

7. UNFINISHED BUSINESS: NONE.

8. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

9. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.
- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

10. OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS A TIME FOR CITIZENS TO SPEAK AND A TIME FOR COUNCIL TO LISTEN. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED, WITHOUT OBJECTION, IMMEDIATELY, FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

Mr. Hume Powers, 2641 Nottingham Road, S.E., requested that Wiley Drive be reopened to two-way traffic within the next thirty days.
File #66-20-514

CERTIFICATION OF CLOSED SESSION. (6-0)

The following persons were appointed or reappointed to boards and commissions:

Robert Humphreys as a member of the Roanoke Arts Commission to fill the unexpired term of Ann D. Masters, resigned, ending June 30, 2001.

File #15-110-230

The Honorable William White, Sr., as a Commissioner of the Hotel Roanoke Conference Center Commission to fill the unexpired term of James D. Ritchie, resigned, ending April 3, 2003.

File #15-110-247

S. Wayne Campbell as a member of the City Planning Commission for a term ending December 31, 2004.

File #15-110-200

Marie Muddiman as a member of the Special Events Committee to fill the unexpired term of Jay Stephens, resigned, ending June 30, 2001.

File #110-327

Kermit E. Hale as a member of the Board of Zoning Appeals to fill the unexpired term of Sydnor W. Brizendine, Jr., deceased, ending December 31, 2001.

File #15-51-110

Victor Gilchrist, James Burks and Carolyn Bumbry as Commissioners of the Roanoke Redevelopment and Housing Authority for terms ending August 31, 2004.

File #15-110-178

Jonathan Katz as a member of the Youth Services Citizen Board for a term ending May 31, 2004.

File #15-110-304

At 4:55 P.M., THE MEETING OF ROANOKE CITY COUNCIL WAS DECLARED IN RECESS TO BE RECONVENED AT 7:00 P. M., IN THE COUNCIL CHAMBER, FOURTH FLOOR, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., CITY OF ROANOKE.



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***MARCH 19, 2001
7:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

Call to Order -- Roll Call. (Council Member White was absent.)

The Invocation was delivered by Cadet Girl Scout, Lydia Higgs, Troop 213.

The Pledge of Allegiance to the Flag of the United States of America was led by Brownie Elizabeth Higgs, Troop 33.

Welcome. Mayor Ralph K. Smith.

NOTICE:

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INTRODUCTION AND PRESENTATIONS:

Presentation of Honorary Girl Scout Member Certificates and Girl Scout Cookies. Katherine Witt, Cadet Troop 97.

Introduction of the following School Board applicants:

Gary M. Bowman
Melvin W. Garrett
Melinda J. Payne
Lee A. Pusha (Application withdrawn)
William E. Skeen
Ruth C. Willson

Applications were received and filed.

File #467

A. PUBLIC HEARINGS:

1. Public hearing on the request of Paul A. Duncan and Gary A. Duncan Partnership that a portion of those certain parcels of real property located at 4425 and 4431 Northwood Drive, N. W., identified as Official Tax Nos. 6140610 and 6140609, and a portion of that certain parcel of land located at 2032 Peters Creek Road, N.W., identified as Official Tax No. 6141403, be rezoned from RS-3, Residential Single Family District, to C-2, General Commercial District, subject to certain proffered conditions. C. Cooper Youell, IV, Attorney.

Adopted Ordinance No. 35253 on first reading. (4-2, Council Members Bestpitch and Harris voting no.)

File #51

2. Public hearing on the request of Roanoke Valley SPCA and Mrs. Sandra L. Overstreet, that a tract of land partially fronting on a portion of Baldwin Avenue, N. E. (8 lots), and additional property fronting on a portion of Edmund Avenue (16 lots), identified as Official Tax Nos. 3210616 - 3210620, inclusive, 3210712 - 3210722, inclusive, and 3210701 - 3210708, inclusive, be rezoned from LM, Light Manufacturing District, to HM, Heavy Manufacturing District, subject to certain conditions proffered by the applicant. W. Eric Branscom, Attorney.

**Adopted Ordinance No. 35254 on first reading. (6-0)
File #51**

3. Public hearing to consider proposed amendments to zoning regulations with regard to outdoor advertising (billboards) in the City of Roanoke. D. Kent Chrisman, Chair, City Planning Commission.

**Adopted Ordinance No. 35255-031901. (6-0)
File #51-107**

B. OTHER HEARING OF CITIZENS:

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Mr. Frederick Price, 115 Salem Avenue, S.W., Mr. James Peterson, 409 18th Street, S.E., and Mr. Nicholas Carr, 2703 Garden City Boulevard, S.E., called attention to a parking lot previously owned by the City in the area of Salem and Norfolk Avenues and operated by Allright Parking Company as paid parking; however, the parking lot has now been assigned by the City to Norfolk Southern for parking. They expressed concern that the parking lot is not clearly identified as private parking during certain hours of the day; therefore, City Market patrons park in the lot, their vehicles are towed away by a local towing company, and a cost of \$90.00 is incurred to reclaim the vehicle.

File #66

Mr. Jeff Artis, Chair, Board of Directors, Roanoke Southern Christian Leadership Conference, formally requested that Council adopt a measure specifically prohibiting Roanoke City government, or any entity thereof, from engaging in or transacting business with any individual or business entity and/or their subsidiaries, that participate in or have been found guilty of practicing discrimination of any kind, including age discrimination and discrimination based upon sexual orientation.

File #66-411

Mr. Robert Gravely, 1412 Moorman Road, N.W., expressed concern with regard to the following City issues: an increase in the real estate tax assessments, declining economy, increased housing costs, low wages for City employees, high crime rate, and corruption.

File #66-79-178-184

(All matters under Other Hearing of Citizens are automatically referred to the City Manager for appropriate response.)

AT 7:55 P.M., THE MEETING OF ROANOKE CITY COUNCIL WAS DECLARED IN RECESS UNTIL MONDAY, MARCH 26, 2001, AT 11:00 A.M., IN THE EXHIBIT HALL AT THE ROANOKE CIVIC CENTER, 710 WILLIAMSON ROAD, N.E., CITY OF ROANOKE, AT WHICH TIME COUNCIL WILL PARTICIPATE IN A PLANNING RETREAT.